

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BRENDA M. JOHNSON,

Plaintiff,

v.

UNITED STATES VETERANS AFFAIRS
et al.,

Defendant.

CASE NO. 3:24-cv-05336-DGE

ORDER ADOPTING REPORT AND
RECOMMENDATION (DKT. NO.
9)

The Court, having reviewed *de novo* the report and recommendation (Dkt. No. 9) of United States Magistrate Judge Grady J. Leupold and the remaining record, and no objection having been filed,¹ ORDERS:

¹ The Court acknowledges Plaintiff filed a motion for interim and final relief within the fourteen-day objection period. (Dkt. No. 13.) In the motion, Plaintiff states a legal error occurred but does not indicate in which court filing the legal error occurred or provide any detail as to what the legal error was. (*Id.* at 3.) The bulk of the motion focuses instead on possible irreparable harm if the matter is not adjudicated quickly. (*Id.* at 1, 3.) Accordingly, the Court declines to treat the pending motion as an objection. Even had the Court interpreted this motion as an objection, it did not address the deficiencies in the proposed amended complaint as discussed in the Report and Recommendation (Dkt. No. 9).

- 1 1. The Court ADOPTS the Report and Recommendation (Dkt. No. 9);
- 2 2. This case is DISMISSED without prejudice for failure to state a claim;
- 3 3. Plaintiff's pending motion for interim and final relief (Dkt. No. 13) is DISMISSED as
- 4 MOOT; and
- 5 4. The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants,
- 6 and the Honorable Grady J. Leupold.

7 Dated this 15th day of July 2024.

A handwritten signature in black ink, appearing to read 'D. Estudillo', is written over a horizontal line.

David G. Estudillo
United States District Judge